

REMARKS

Applicants acknowledge the indication of allowability or of allowable subject matter in claims 10 – 15 and 17 – 21.

The rejection of claims 8, 9, 16, and 22 – 28 under 35 USC 102(e) over Tuckey, US Patent 6,213,726, is respectfully traversed. Tuckey discloses a fuel system for a motor. However, Tuckey does not describe a fuel filter having a housing as required by the claimed invention. For this reason, it also fails to disclose a deposition tank formed into the housing of the fuel filter, as further required by the claimed invention. As a result, Tuckey does not describe a fuel system having all of the elements of the claimed invention.

Applicants also note that the reasoning provided in the Office Action fails to support a rejection of the claimed invention over Tuckey. The Office Action asserts that filter base 38 in Tuckey constitutes a housing for the fuel filter. It further states that the area defined by the bottom of the fuel tank, but outside of the filter base, is interpreted as the deposition tank. The claimed invention, however, requires a deposition tank that is formed into a housing of the fuel filter. Thus, even the interpretation of Tuckey offered in the Office Action fails to describe all of the elements of the claimed invention. For at least these reasons, reconsideration and withdrawal of the rejection over Tuckey are respectfully requested.

Applicants also note that Tuckey is a continuation-in-part of an application filed on December 8, 1997, while the filing date for Tuckey is October 4, 1999. The priority date for Applicants invention is March 12, 1999 based on German priority

document DE 199 11 068.9. While the claimed invention is distinguished from Tuckey for the reasons cited above, Applicants reserve the right to subsequently file a verified translation of the priority document to eliminate as a prior art reference any portions of Tuckey that are not entitled to the December 8, 1997 reference date.

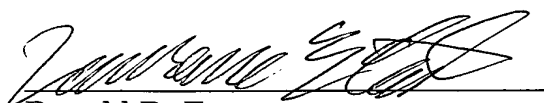
In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #080437.49129US).

Respectfully submitted,

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